

**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1–13 are in the present application. It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled. A marked-up copy of claims 1, 8, and 11 is attached.

Claims 1–13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hubbell et al. (U.S. Patent 6,966,122) in view of Klingler et al. (U.S. Patent 5,404,316). Hubbell teaches a hypervideo editing system for branching from a primary video file to secondary video files. Klingler teaches a desktop digital video editing system having a graphical user interface. By contrast, the present invention is a menu system (particularly adapted for DVD) with buttons which when selected perform a short response program as a transition into execution of the selected operation.

For at least the following reasons, Hubbell and Klingler fail to obviate the present invention. The present invention deals with a “disk recording medium” and “operations for

operating a disk recording medium.” (Claims 1, 8, and 11) Specifically, the present invention is intended for use with DVD or other disk systems. Neither, Hubbell nor Klingler even discusses disk recording mediums. Both Hubbell and Klingler teach software applications presumably for use on a personal computer platform. Furthermore, the present invention’s response picture data is displayed after a menu button is selected “thereby indicating a transition between said menu and the selected operation.” (Claims 1, 8, and 11). Apparently, the Examiner believes the present invention’s response picture data is analogous to Hubbell’s secondary media files. (Office Action Page 3, Lines 4–5 referencing Hubbell Column 9, Lines 16–55) However, a comparison of Hubbell’s Figure 1 with the present invention’s Figure 4 indicates that Hubbell’s secondary media files are branches to/from other video files rather than transitions between files. Hence, Hubbell’s secondary media files are actually analogous to subsequent chapters/scenes or alternative endings as discussed in the present invention. Accordingly, the present invention’s response picture data could be used within Hubbell’s framework to transition between primary and secondary media files. Moreover, Klingler simply discloses how selecting a GUI menu button invokes an operation or command (Column 6, Lines 21–68). Thus, Klingler does not disclose displaying response picture data to form a transition between files. For at least these reasons, Hubbell and Klingler fail to obviate claims 1, 8, and 11 of the present invention. In addition, since claims 2–7, 9–10, and 12–13 are dependent upon independent claims 1, 8, and 11, they inherit the limitations of those claims. Therefore, claims 1–13 should now be allowed.

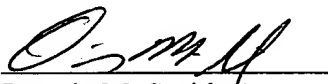
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:

  
Dennis M. Smid  
Reg. No. 34,930  
(212) 588-0800



**Appendix**  
**Marked-Up Claims**

—1. (Thrice amended) A disk recording medium retaining menu control data for controlling a menu displayed on a screen, wherein said menu control data has a data structure including:

menu display data which determines the configuration and operations displayed on said menu, said menu display data being determined at least in part on the basis of previously selected operations;

response picture data which contains pictures to be displayed when an operation is selected from said menu;

response display data which provides instructions for displaying the response picture data thereby indicating a transition between said menu and the selected operation; and

operation instructions for performing the selected operation after the response picture is displayed.—

—8. (Twice amended) A menu control method for controlling a menu of operations for operating a disk recording medium, the menu being displayed on a screen, including the steps of:

displaying said menu including at least one menu button for selecting an operation of said disk recording medium, the displayed menu being determined at least in part on the basis of previously selected operations;

displaying a predetermined response picture when the operation of said menu button on said menu is selected, thereby indicating a transition between said menu and the selected operation; and

[for] executing the selected operation of said menu button after said response picture is displayed.—

—11. (Twice amended) A menu control apparatus for controlling a menu of operations for operating a disk recording medium, the menu being displayed on a screen, comprising:

a menu display means for displaying said menu including at least one menu button for selecting an operation of said disk recording medium, the displayed menu being determined at least in part on the basis of previously selected operations;

a response picture display means for displaying a predetermined response picture when the operation of said menu button on said menu is selected, thereby indicating a transition between said menu and the selected operation; and

a means for executing the selected operation of said menu button after said response picture is displayed by said response picture display means.—